

**Newington Town Plan and Zoning Commission
Proposed Zoning Text Amendment**

(changes made since the previous draft are shown in **bold underline**
and ~~**bold strikethrough**~~)

Section 3.19A Transit-Oriented Development (TOD) Overlay District

1. General:

a. The Transit-Oriented Development (TOD) Overlay District is an overlay of certain Planned Business (PD) and Industrial (I) zones, to encourage transit-oriented development of parcels on Cedar Street, Fenn Road, and streets adjacent to Fenn Road that are generally within walking distance of the CTfastrak station on Myra Cohen Way.

b. The use of land, buildings and other structures within the TOD Overlay District shall be established and conducted in conformity with either the underlying zoning classification of the Planned Business Zone (PD), Business Zone (B) and Industrial Zone (I), or the special requirements of this Section. This is not intended to prohibit any use otherwise permitted in the PD, B and I zones. Rather, its purpose is to give property owners the ability to use proximity to CTfastrak to leverage development of greater community and/or economic value.

c. The TOD Overlay District is bounded on the north by Holly Drive/Ella Grasso Boulevard; on the east by property of the National Railroad Passenger Corporation (Amtrak); on the south by a line parallel to and approximately 2000' south of Cedar Street; on the west by CT Route 9.

2. Purpose:

a. The purpose of the TOD Overlay District is to promote high quality development within walking distance of the CTfastrak station on Myra Cohen Way which will grow Newington's grand list, create employment, and provide Newington residents with additional retail, commercial, residential and entertainment opportunities.

b. Such development shall be in accordance with the 2020 Plan of Conservation and Development's "General Goal" of locating development in places and at densities which support the desired overall character of Newington, including smaller mixed land uses adjacent to transit stations (Page 24 of the 2020 Plan of Conservation and Development).

c. This purpose will be achieved through the following specific objectives and uses:

1. Mixed-use development, which will provide opportunities to live, work, shop, and/or be entertained within a single project, and when appropriate, in the same building.
2. Dining and entertainment clusters.
3. Bioscience, advanced manufacturing, aerospace engineering, information technology, and other advanced technologies.

3. Definitions:

a. "Mixed-use development" shall mean development on a single parcel (or adjacent parcels with shared parking) that contains at least one of each of two or more of the following types of uses:

1. Retail (including dining and entertainment)
2. Office
3. Industrial (including research and light manufacturing)
4. Residential

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b. “Dining and entertainment cluster” shall mean development on a single parcel (or adjacent parcels with shared parking) that contains two or more restaurants, bars, theaters, or entertainment venues.

4. Incentives:

a. Development proposals that contain any of the “specific objectives and uses” described in Paragraph 2.c may be eligible for the following incentives:

1. Less mandatory landscaping (i.e. more useable floor area).
2. Less mandatory on-site parking.
3. Reduced front, side, and rear yard setbacks.

b. Eligibility for the above incentives will be based on the following:

1. The need for the proposed activity, as determined by the TPZ.
2. The public benefit of the proposed activity, as determined by the TPZ.
3. Public amenities included in the proposed activity.
4. The extent to which the proposed activity enhances vehicular, ~~bicycle~~, and pedestrian circulation in the TOD Overlay District.
5. Architectural and/or functional compatibility of the proposed activity with nearby buildings and activities.

5. Procedure:

a. Any application for approval of an activity that complies with the underlying PD, B or I zoning shall be processed in accordance with Section 3.16, Section 3.17, Section 3.18, or Section 3.19 as appropriate and Section 5.3.

b. Any application for approval of an activity that does not comply with the underlying PD or I zoning but includes one or more of the “specific objectives and uses” listed in Paragraph 2.c shall be processed in the following manner:

1. The applicant shall apply for a TOD Special Permit in accordance with Section 5.2. The application shall include the following:

A. A detailed description of the activity, and how it promotes the purpose of the TOD Overlay District.

B. If the application proposes to utilize any of the incentives listed in Paragraph 4.a, the application shall include a report prepared by an appropriate professional and detailed descriptions of the following:

- 1) The need for or benefit of the proposed activity;
- 2) Architectural or functional compatibility with adjacent or nearby buildings and activities; and
- 3) Public amenities included in the proposed activity.

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2. The applicant shall apply for Site Plan Approval in accordance with Section 5.3 of the zoning regulations. The site plan shall address the following:

A. The layout of streets, alleys, lots, building sites, and other elements of development shall be designed to maximize safe and convenient vehicular, ~~bicycle~~, and pedestrian access to the CTfastrak station and, where appropriate, provide the views and community amenities that help define the CTfastrak station as the focal point of the District.

B. Vehicular, ~~bicycle~~, and pedestrian circulation systems shall be designed to allow vehicular, ~~bicycle~~, and pedestrian cross-access to existing or allowable development on adjoining lots.

C. Driveway curb cuts are allowed only if vehicular access cannot be provided via a cross-access easement. Driveway curb cuts shall be no wider than 24 feet and shall be located at least 50 feet from a street intersection and at least 100 feet from another driveway curb cut on the same block face.

D. Buildings shall be configured in relation to the site's other buildings so that building walls frame and enclose one or more of the following, if applicable:

- 1) The corners of street intersections or entry points into the development;
- 2) A "main street" pedestrian and/or vehicle access corridor within the development site;
- 3) Parking areas, public spaces, or other site amenities on at least three sides; or
- 4) A plaza, pocket park, square, outdoor dining area, or other outdoor gathering space for pedestrians.

E. Architectural elevations submitted in accordance with Section 5.3.4.B shall be prepared as follows:

1) Where the street-level facade of a building faces the CTfastrak station or a public gathering space, no less than ~~35%~~ **25%** of the facade area shall be comprised of transparent window or door openings to allow views of interior spaces and merchandise.